

ATTACHMENT 1
EXHIBIT A - FINDINGS
DRC2013-00117 / NINER WINE ESTATES, LLC

CEQA Exemption

- A. The project qualifies for a Categorical Exemption (Class 3) pursuant to CEQA Guidelines Section 15303 because the project involves the interior alteration of an existing building to convert storage space to a kitchen and dining area.

Conditional Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the limited food service facility (restaurant) with on-site consumption, winery with tasting room does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the limited food service facility (restaurant) with on-site consumption, winery with tasting room facility (hospitality center) area similar to the historical use of the site and will not conflict with the surrounding land and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Highway 46, an arterial road constructed to handle traffic associated with this project.

Modifications

- G. Modification of Land Use Ordinance Section 22.30.570, limiting a restaurant to 800 sf to allow 3,400 sf is justified because no new construction or improvements will be required. The restaurant will use the existing 1,300 sf commercial kitchen; the existing 900 sf room (called the Club Room) for the indoor dining area and the existing 1,200 sf outside patio area for dining. The restaurant will be incidental to the primary use on site which is the approximate 60,000 sf production winery that produces 50,000 cases of wine annually.
- H. Modification of the ordinance standard to allow the restaurant to operate beyond the tasting room hours, to 9 p.m., 7 days per week is justified because the proposed restaurant is incidental to the primary visitor-serving operation (tasting room / hospitality center). Additionally, the site is located on an arterial road approximately 1 mile from Templeton and

closest residence to the proposed hospitality building (where the restaurant will be located) is approximately 700 feet to the west.

Williamson Act / Contracted Land / Compatible Uses

- I. The proposed restaurant (limited food service facility) will use the existing commercial kitchen that will also be used during special events as allowed per the previously approved land use permit. The dining area will use areas of the hospitality building previously approved for public use. No parking improvements will be required and no additional parking spaces are required. The primary use on-site will be the processing of grapes grown on-site (46 acres of wine grapes) into wine within the 60,000 sf wine processing facility. Therefore, the proposed restaurant will not displace or impair the existing agricultural operations on the site or in the area.